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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,145	10/30/2003	Steven Jay Lipton	AUS920030628US1	2821

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01/25/2007

EXAMINER

TIEU, BINH KIEN

ART UNIT

PAPER NUMBER

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No. .

10/698,145

Applicant(s)

LIPTON ET AL.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-11 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-11, 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayak (US. Pat. #: 6,192,116).

Regarding claim 1, Mayak teaches a method for enhanced telephone caller identification wherein the caller supplies information related to the call, the method comprising the steps of:

receiving calling information to initiate a telephone call;

determining whether caller has supplied information related to the call in addition to telephone number;

storing the information when there is determination that the caller has supplied additional information about the telephone call;

transmitting the calling information to the destination of the telephone entered by the caller (see col.4, lines 1-53);

detecting whether the caller has indicated additional information is submitted with the call (i.e., central office detects a notification signal transmitted from caller indicating that he or she wished to input additional information, i.e., short message, col.4, line 58 through col.5, line 10);

formatting the information supplied by the caller when the determination is that the caller has supplied additional information (i.e., attaching the inputted message to either CID/CIDCW information to be transmitted to called party's phone; col.5, lines 17-39); and

displaying the information supplied by the caller at the destination of location of the call along with a number of the origination of the call (col.5, lines 40-58).

Regarding claim 11, Mayak teaches a computer program product in a computer readable medium for enhanced telephone caller identification wherein the caller supplies information related to the call, the program comprising:

instructions for receiving calling information to initiate a telephone call;

instructions for determining whether caller has supplied information related to the call in addition to telephone number;

instructions for storing the information when there is determination that the caller has supplied additional information about the telephone call;

instructions for transmitting the calling information to the destination of the telephone entered by the caller;

instructions for detecting whether the caller has indicated additional information is submitted with the call (i.e., central office detects a notification signal transmitted from caller indicating that he or she wished to input additional information, i.e., short message, col.4, line 58 through col.5, line 10);

instruction for formatting the information supplied by the caller when the determination is that the caller has supplied additional information (i.e., attaching the inputted message to either CID/CIDCW information to be transmitted to called party's phone; col.5, lines 17-39); and

instructions for displaying the information supplied by the caller at the destination location of the call (see col.5, lines 40-58).

Claim Rejections- 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4-10 and 14-20, note paragraphs [0043] and [0048] are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayak (US. Pat. #: 6,192,116) in view of Snyder (US. Pat. #: 5,784,444).

Regarding claims 4-9 and 14-20, Mayak teaches all subject matter as claimed above, except for message fields of a record so that caller can input information data as the additional information to be transmitted to called party. However, Snyder teaches a method for providing

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personal calling identification at remote locations (i.e., public phone, etc.) to called party.

Snyder teaches the method that allows caller to input various information such as his or her office or residential telephone number as well as short message, as shown in figure 6 which will be transmitted to a called party. Such record is received under the format of incoming calling line identification tag on (ICLIDTO) message and displayed to called party as shown in figure 6a (see col.4, line 8 through col.32).

Therefore, it would have been obvious to one of ordinary skill in the art the invention was made to incorporate the teachings of massager fields of a record, as taught by Snyder above, into view of Mayak in order to provide a managed transmission of the additional information supplied by the caller in a call from the caller to the called party.

Regarding claim 10, Mayak teaches a method for enhanced telephone caller identification wherein the caller supplies information related to the call, the method comprising the steps of:

- receiving calling information to initiate a telephone call;

- determining whether caller has supplied information related to the call in addition to telephone number;

- storing the information when there is determination that the caller has supplied additional information about the telephone call;

- transmitting the calling information to the destination of the telephone entered by the caller (see col.4, lines 1-53); and

- displaying the information supplied by the caller at the destination of location of the call along with a number of the origination of the call (col.5, lines 40-58).

It should be noticed that Mayak fails to clearly teach message fields with message codes such as field of destination telephone number code, text message code field, credit card code field, etc., of a record so that caller can input information data as the additional information, and a central office can manage such fields of record to be transmitted to called party. However, Snyder teaches a method for providing personal calling identification at remote locations (i.e., public phone, etc.) to called party. Snyder teaches the method that allows caller to input various information such as his or her office or residential telephone number as well as short message, as shown in figure 6 which will be transmitted to a called party. Such record is received under the format of incoming calling line identification tag on (ICLIDTO) message and displayed to called party as shown in figure 6a (see col.4, line 8 through col.32).

Therefore, it would have been obvious to one of ordinary skill in the art the invention was made to incorporate the teachings of message fields of a record, as taught by Snyder above, into view of Mayak in order to provide a managed transmission of the additional information supplied by the caller in a call from the caller to the called party.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-11 and 14-20 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

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Washington, D.C. 20231

Or faxed to:

(571) 273-8300

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BINH TIEU
PRIMARY EXAMINER

Technology Division 2614

Date: January 19, 2007